

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHN UALL BENDER,**  
**Petitioner,**

**v.**

**THE DISTRICT ATTORNEY  
OF PHILADELPHIA, et al.,**  
**Respondents.**

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**Case No. 2:19-cv-5376-JDW**

**ORDER**

**AND NOW** this 9th day of September, 2020, upon consideration of the Petition for Writ of *Habeas Corpus* (ECF No. 1), following review of the Report and Recommendation of Magistrate Judge Thomas J. Reuter (ECF No. 8), and in light of Petitioner's statement that he has no objection to the Report and Recommendation or to the dismissal of his Petition, it is **ORDERED** as follows:

1. Judge Reuter's Report and Recommendation (ECF No. 8) is **APPROVED** and **ADOPTED**; and
2. The Petition for Writ of *Habeas Corpus* (ECF No. 1) is **DISMISSED** for lack of jurisdiction because Petitioner is not in custody and was not in custody at the time he filed his Petition.

**BY THE COURT:**

/s/ Joshua D. Wolson

**JOSHUA D. WOLSON, J.**